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RCE
1638

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/271,584
	Filing Date	March 18, 1999
	First Named Inventor	Eduardo BLUMWALD
	Art Unit	1638
	Examiner Name	A. Kubelik
	Attorney Docket No.	529642000200

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply (14 pages) iii. ☐ Information Disclosure Statement (IDS)

ii. ☒ Affidavit(s)/Declaration(s) (3 pages) iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☒ Other Return Receipt Postcard

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952

i. ☒ RCE fee required under 37 CFR 1.17(e) (Fee Transmittal attached in duplicate, 2 pages)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) (1 page)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Otis Littlefield (Customer No. 20872)	Registration No. (Attorney/Agent)	48,751
Signature	<i>Otis Littlefield</i>	Date	March 10, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL968416377US, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 10, 2004 Signature: Valerie Cohen (Valerie Cohen)

I hereby certify that this correspondence is being deposited with the U.S. Patent and Trademark Office via Express Mail Label No. EL968416377US, on the date shown below.

Dated: March 10, 2004

Signature: Valerie Cohen
(Valerie Cohen)

Docket No.: 529642000200
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eduardo BLUMWALD et al.

Application No.: 09/271,584

Group Art Unit: 1638

Filed: March 18, 1999

Examiner: A. Kubelik

For: GENETIC ENGINEERING SALT
TOLERANCE IN CROP PLANTS

AMENDMENT UNDER 37 CFR 1.111

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Amendment is responsive to the Office Action dated May 21, 2003 (Paper No. 41), the Advisory Action dated August 6, 2003 (Paper No. 44), and the Advisory Action dated December 17, 2003 finally rejecting claims 1,5,7,8,10-12,14,18,19,21-32,53 and 54. A Notice of Appeal was sent on November 21, 2003 for which an appeal brief was due on January 21, 2004, and for which a two-month extension of time is requested, extending the deadline to March 21, 2003. Thus, the Request for Continued Examination filed herewith is timely.